

File No. 1694-19

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN THE MATTER OF:

Chapter 13

David A Rieger
Margaret M Reiger,
Debtors.

Case No. 07-06179
Honorable Judge Wedoff

**RESPONSE TO NOTICE OF CURE OF ALL PRE-PETITION
MORTGAGE OBLIGATION**

Now comes Litton Loan Servicing, LP (“Litton”) and files this Response to the Trustee’s Notice of Final Mortgage Cure Amount and in support states as follows:

1. On December 1, 2009, Chapter 13 Trustee Marilyn O. Marshall filed a Notice of Payment of Final Mortgage Cure Amount. The Notice was subsequently served on Litton and indicated that if the creditor is not post petition current, it must file a response within sixty days of said Notice. This response is being filed within that time frame. Litton is the servicer for the mortgage.

2. The Debtor is not current on her post-petition mortgage payments regarding the real estate located at 3428 N. Page, Chicago, Illinois (“Real Estate”). The plan was confirmed on June 14, 2007.

3. Since there is a post petition default the mortgage should not be considered fully reinstated. The default figures presents are good through the cure date.

4. The loan is due based upon post-petition arrears on the mortgage due at the time of the Trustee’s Notice and post-petition escrow advances for taxes and insurance. The overage will be refunded to the Trustee. The following is due and owing post-petition:

- i) \$2,018.39 in post-petition mortgage payments for December 2009;

- ii) \$771.82 in escrow advances;
- iii) \$142.00 BPO fee; and,
- iv) \$10.5 inspection fee.

That the total post petition default totals \$2,992.74. The mortgagee should not be required to treat the mortgage as reinstated and fully current. The creditor reserves the right to amend this response.

Respectfully submitted,

/s/ Mitchell A. Lieberman
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